

REMARKS

Claims 36-41 are pending in the application. In view of the following remarks, reconsideration and withdrawal of the rejections to the application in the Office Action is respectfully requested.

Claims 36-41 were rejected in the Office Action under 35 U.S.C. § 102(a) as anticipated by Yang *et al.*, "Guided Self-Assembly of Symmetric Diblock Copolymer Films on Chemically Nanopatterned Substrates," *Macromolecules*, 33, (2000), pp. 9575-9582. No other rejections or objections were made in the Office Action.

With regard to publications under 35 U.S.C. § 102(a), only the publication of the invention of "others" may qualify as prior art against the claims of the present application. An affidavit submitted under 35 C.F.R. § 1.132 showing that the relevant subject matter of a cited reference was derived from and invented by Applicants, may be used to overcome that reference. (MPEP 2131.02) Applicants respectfully direct the Examiner's attention to the accompanying copies of the Declarations of Xiao M. Yang, Richard D. Peters, Paul F. Nealey, Harun H. Solak, and Franco Cerrina which are submitted under 37 C.F.R. § 1.132. Applicants hereby request that these Declarations be entered in the file of this application and be made of record. These Declarations were originally submitted during the prosecution of parent patent application serial no. 09/971,442, now U.S. Patent No. 6,746,825. The present application is a divisional of and claims priority to application Serial No. 09/971,442.

Xiao M. Yang, Richard D. Peters, Paul F. Nealey, Harun H. Solak, and Franco Cerrina are the named authors of the paper Yang *et al.*, "Guided Self-Assembly of Symmetric Diblock Copolymer Films on Chemically Nanopatterned Substrates," *Macromolecules*, 33,

(2000), pp. 9575-9582 (hereinafter "Yang *et al.*"). This article, which does not include Juan J. de Pablo and Qiang Wang as authors, was published prior to, but not more than one year before, the October 5, 2001 filing date of application Serial No. 09/971,442. The enclosed Declarations confirm that the relevant disclosure of Yang *et al.* was derived from subject matter which was invented jointly by Juan J. de Pablo, Qiang Wang, and the five co-authors of Yang *et al.*. For this reason, the cited article is not prior art with respect to the claims of the present application, and Applicants respectfully request that this rejection be withdrawn.

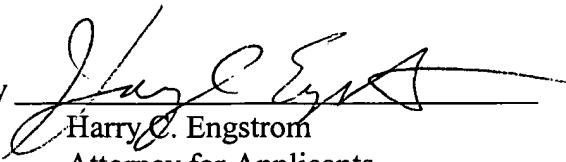
The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-2350. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-2350. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-2350.

Respectfully submitted,

Dated: December 13, 2004

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